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# AN ASSAULT WEAPONS BAN IS NOT THE SOLUTION ILLINOIS NEEDS

*Andrew J. Whitaker*

## TOPLINE POINTS

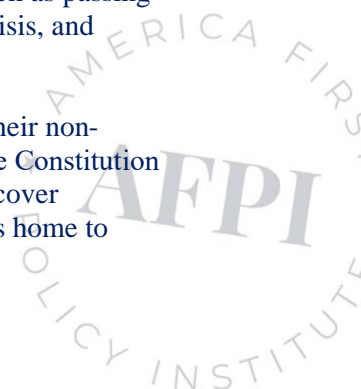
- ★ In January, Illinois became the ninth state to ban assault weapons. H.R. 5471 halted the sale of assault weapons and requires owners of such weapons to register them with state law enforcement by the end of 2023.
- ★ Banning assault weapons has been proven to be ineffective in fostering safe and secure communities and will likely have little-to-no impact on crime in Illinois' big cities.
- ★ Illinois should pass legislation that addresses recruitment and retention issues and allows law-abiding citizens the ability to defend themselves when the state cannot.

## BACKGROUND

On January 10, Illinois Governor J.B. Pritzker signed H.B. 5471, the Protect Illinois Communities Act, into law. This new law effectively halts the sale and distribution of assault weapons in the state and requires owners of such weapons to register them with the Illinois State Police by the end of the year. The law's definition of "assault weapon" includes semi-automatic rifles, pistols, and shotguns, with one or more of a list of attachments or modifications, and high-capacity magazines. This ban comes less than a year after the mass shooting incident that occurred in the Chicago suburb of Highland Park on July 4, 2022. On that day, suspect Robert Crimo III, who had exhibited multiple red flags before the incident, opened fire on an Independence Day parade, killing seven and injuring 48. Illinois' red flag laws were enacted before the shooting and are meant to remove firearms from individuals who are a potential threat to themselves or others. However, these restrictive red flag laws have not been effective, and a restrictive assault weapons ban is also unlikely to solve the problems in Illinois.

Illinois is enacting this ban in an effort to reduce gun violence and prevent other mass shootings. However, studies do not show sufficient evidence to conclude that banning assault weapons will prevent mass shootings or decrease the amount of violent crime. Instead of implementing an assault weapons ban, Illinois lawmakers should focus on policies that will foster safe and secure communities, such as passing legislation that funds the police, addresses the law enforcement recruitment and retention crisis, and allows law-abiding citizens the ability to defend themselves.

As of January 13, sheriff's offices in 74 of Illinois' 102 counties have publicly announced their non-enforcement of the "Protect Illinois Communities Act," citing their sworn duty to uphold the Constitution and claiming this new law infringes on Second Amendment rights. Those 74 counties only cover approximately 30% of Illinois' population, and the sheriff's office in Cook County, which is home to



Chicago and covers 40% of the population, has not yet made an announcement on adherence to the new state law. As of January 21, an Illinois state judge has temporarily blocked the ban.

## ASSAULT WEAPONS BANS ARE INEFFECTIVE IN PROTECTING COMMUNITIES AND WILL NOT IMPROVE THE SITUATION IN ILLINOIS

The newly signed law makes Illinois the ninth state to issue a ban on assault weapons. California and New Jersey were the first to do so in 1989 and 1990, respectively. Both states allowed gun owners to keep existing guns owned before the ban, but only about 10% of owners complied with the registration requirement. In California, murder rates increased every year for five years after the ban went into effect—increasing 26% overall during that period—as the rest of the country saw a decrease. Additionally, an analysis by Steve Leavitt (2004) of the University of Chicago, as well as research conducted by the RAND Corporation and The Urban Institute’s congressionally-mandated study, did not conclusively find that banning assault weapons had any impact on the decrease in crime. Mass public shootings actually increased by 20% from the decade prior to the decade in which the federal ban was in place.

Similar issues regarding registration compliance and continued crime persist in many states that ban assault weapons. For example, Washington, D.C., experienced an 18-year high in homicides in 2021, even though the city already had some of the country’s most restrictive gun laws, including a ban on assault weapons and other guns. In New York, the state passed its extensive gun restriction package, the SAFE Act, in 2013, which broadened the ban on assault weapons to include semi-automatic rifles, pistols, and shotguns. However, just 23,847 people out of an estimated one million owners of assault weapons have registered since the law was passed. Additionally, New York City’s violent crime was also up by 29% in 2022. States with assault weapons bans are also more susceptible to mass shooting incidents, as 94% of mass shootings occur in places where civilians are banned from having firearms. Recent mass shootings, including the Buffalo shooter in New York and the most recent incident in California, left 10 people dead and another 10 wounded.

Illinois’ ban on assault weapons comes after last year’s Highland Park shooting, as well as the rising violent crime in Chicago, which experienced a 41% overall increase in 2022. Murders peaked in 2021 with 799 homicides—the most since 1996—and in 2022, remains 39% higher than in 2019. Shooting incidents are also 32% higher than they were in 2019. In 2022, robberies and burglaries both increased by 14%, theft increased by 56%, and motor vehicle theft increased by 102%.

Although many assume that banning assault weapons will lead to fewer violent crimes, the Illinois ban would likely have little effect on these numbers. Only 7.1% of violent crimes nationwide were committed with firearms in 2021, and of those, 45.7% were committed with handguns, and rifles accounted for only 2.6%. Furthermore, assault weapons bans are ineffective at lowering crime because they are not only used in a small fraction of violent crimes, but they are also rarely acquired by legal means. A 2019 survey by the Department of Justice found that some 43% of criminals had bought their firearms on the black market, 6% acquired them via theft, and only 10% made a retail purchase.

Instead, the increase in crime can be attributed to the city’s budget cuts on the police force and restrictions on law enforcement. Chicago Mayor Lori Lightfoot had previously proposed an \$80-million budget cut from the Chicago Police Department (CPD), \$34 million of which had been for vacant officer positions. Lightfoot’s proposal and her rhetoric about defunding the police exacerbated a problem of decreased morale for the depleted CPD, which lost 900 officers to resignations or early retirements in 2021 and only added 247—totaling a deficit of approximately 1,700 officers over the last five years. In 2022, the CPD lowered its hiring standards in the hope of increasing the applicant pool, but some are concerned that



lowering the standards could lead to an increased likelihood of police misconduct cases. Last year, Chicago leadership also announced a new “foot-pursuit” limitation on its officers, which prevents officers from chasing suspects on foot and bringing them to justice, likely adding to the city’s crime epidemic.

## OTHER POLICY SOLUTIONS WOULD MORE EFFECTIVELY PROMOTE PUBLIC SAFETY

Rather than defunding the police and limiting law enforcement officers, Illinois should increase its police force and address its recruitment and retention issue. Steve Leavitt conducted an analysis of the 1994 crime bill and found that the \$14 billion in police funding contributed to a 5–6% decrease in violent crime nationwide. More funding for police in Illinois will help ensure that police departments have the resources and personnel needed to combat the growing crime crisis.

Rather than implementing an assault weapons ban, Illinois should instead uphold the Second Amendment by passing a permitless carry law that would ensure the right of more law-abiding citizens the ability to defend themselves. Doing so would actually increase the likelihood of preventing mass shooting incidents. According to the Crime Prevention Research Center, 34.4% of active shooters were thwarted or deterred by armed citizens between 2014 and 2021. Of the top 10 states with the lowest violent crime rates, five have constitutional carry laws, including the top three—Maine, New Hampshire, and Vermont.

## CONCLUSION

By banning assault weapons, Illinois assumes compliance with the registration requirement and takes defensive measures out of the hands of law-abiding citizens. The law was enacted with the assumption it would prevent mass shootings and gun crime, but research suggests otherwise. Illinois residents want to feel safe and secure in their communities, which is much more likely to happen when their cities include a fully-staffed and fully-equipped police force. Policies that promote the police instead of holding them back and support Second Amendment rights will help make Illinois communities safer.

